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**PLEASE DELIVER THE FOLLOWING MATERIAL AS SOON AS POSSIBLE****TO:**USPTO**FAX:**571-273-8300**FROM:**ERIC GANDRAS, M.D.**TELEPHONE #:**516-562-2979**TOTAL PAGES:**4 including cover**MESSAGE:**NOTICE OF APPEAL+ PAYMENT FORM

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PTO/SB/21 (04-07)

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TRANSMITTAL  
FORM

		Application Number	10 716,853
		Filing Date	11 20 2003
		First Named Inventor	ERIC JOHN SANDRAS
		Art Unit	3767
(to be used for all correspondence after initial filing)		Examiner Name	Phillip A. Gray
Total Number of Pages in This Submission		Attorney Docket Number	EG-1

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Bruce Stears INC. & ASSOCIATES		
Signature			
Printed name	Bruce A. LEV		
Date	JULY 4, 2007	Reg. No.	58,594

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Typed or printed name	Bruce A. LEV		

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PTO/SB/31 (04-07)

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Docket Number (Optional)

NOTICE OF APPEAL FROM THE EXAMINER TO  
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On July 4, 2007

Signature Bruce A. LewTyped or printed name Bruce A. Lew

In re Application of	<u>ERIC John GRANDRAS</u>	
Application Number	<u>10/716,353</u>	Filed <u>11/20/2003</u>
For	<u>PHILLIP A. Geary</u>	
Art Unit	<u>3767</u>	Examiner <u>PHILLIP A. Geary</u>

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 250.00\$ 250.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_ . I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record. Registration number 58,594.
- attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Bruce A. Lew  
Signature  
Bruce A. Lew  
Typed or printed name  
(703) 880-8836  
Telephone number

July 4, 2007  
DateNOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below. Total of 3 forms are submitted.

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